

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER A-8-09A**



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IN THE MATTER OF
the Utilities Commission Act, R.S.B.C. 1996, Chapter 473

and

An Application by Access Gas Services Inc.
for an Amendment of its Gas Marketer Licence

BEFORE: D.A. Cote, Commissioner November 16, 2009

O R D E R

WHEREAS:

- A. On July 10, 2009 Access Gas Services Inc. ("Access Gas") applied to the British Columbia Utilities Commission ("Commission") for a renewal of its Gas Marketer Licence. The Application for renewal of its Licence to Market Natural Gas ("Application") included the payment of the \$1,000 Application Fee and a \$250,000 Letter of Credit, pursuant to items 2 and 3 respectively, of the Licence Requirements; and
- B. On August 6, 2009 relying upon the information and representations made by Access Gas the Commission approved Gas Marketer Licence A-8-09 subject to conditions. Specifically, Condition 2.7 which stated that Access Gas will file an amended Letter of Credit in November 2009 with an expiry date of October 31, 2010, and upon receipt of the amended Letter of Credit, the Commission will extend the effective period of the Gas Marketer Licence to October 31, 2010. Condition 2.8 stated that Access Gas will file its unaudited quarterly statement, for the concluded financial quarter subsequent to its most recently ended fiscal year, by August 28, 2009; and
- C. On August 26, 2009 Access Gas filed its unaudited quarterly statement in compliance with Condition 2.8 of Licence A-8-09. On November 2, 2009 it filed with the Commission an amended Letter of Credit with an expiry date of October 31, 2010 in compliance with Condition 2.7; and
- D. In reviewing this matter the Commission noted that Access Gas Licence A-8-09 must be amended to include a standard condition establishing marketer accountability for representatives, applicable to all gas marketers, is required to be added.

NOW THEREFORE, pursuant to section 71.1(6) of the *Utilities Commission Act* the Commission orders as follows:

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1. The Commission issues to Access Gas an amended Gas Marketer Licence for the period November 16, 2009, to October 31, 2010.
2. The Gas Marketer Licence will contain the same conditions of Licence A-8-09, with the exception of Conditions 2.7 and 2.8 which are now removed, and the addition of a standard condition (2.7) below.
 - 2.1 Access Gas will carry out the undertakings as set out in the Application for a Licence to Market Natural Gas dated July 10, 2009 and the Rules for Gas Marketers.
 - 2.2 Access Gas will comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of Terasen Gas Inc.
 - 2.3 Access Gas will maintain a Letter of Credit or acceptable substitute in full force and effect for the duration of the Licence.
 - 2.4 Access Gas will maintain a Working Capital position of at least \$50,000 and a Current Ratio of current assets to current liabilities of at least 1.10.
 - 2.5 The Commission may, at any time and without prior notice to Access Gas, amend or impose new terms and conditions on, suspend, or cancel the Gas Marketer Licence for reasons the Commission, in its sole discretion, deems and considers sufficient.
 - 2.6 The Gas Marketer Licence and all copies of it shall remain the property of the Commission and Access Gas will return these documents forthwith upon written request from the Commission.
 - 2.7 Access Gas shall ensure that its employees, salespersons or other representatives of its products and services comply with the standards required of a Gas Marketer as set out in the Code of Conduct for Gas Marketers. Access Gas shall be responsible for the non-compliance of its employees, salespersons or other representatives of its products and services with the Code of Conduct for Gas Marketers.

DATED at the City of Vancouver, in the Province of British Columbia, this 16th day of November 2009.

BY ORDER

Original signed by:

D.A. Cote
Commissioner

Attachment

Orders/A-8-09A_Amended_Access Gas_Licence Renewal 2009



LICENCE NO. A-8-09A

GAS MARKETER LICENCE

Access Gas Services Inc.

is granted a licence for the purpose of providing advice to, or acting on behalf of, a low volume consumer⁽¹⁾ purchasing gas directly in the Province of British Columbia subject to the terms and conditions contained in Commission Order A-8-09A, which are set out in the reverse of the Licence.

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D.A. Cote, Commissioner

ISSUED: November 16, 2009

EFFECTIVE: November 16, 2009 to October 31, 2010

(1) As described in the Rules for Gas Marketers

2. The Gas Marketer Licence is subject to the following conditions:

- 2.1 Access Gas will carry out the undertakings as set out in the Application for a Licence to Market Natural Gas dated July 10, 2009 and the Rules for Gas Marketers.
- 2.2 Access Gas will comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of Terasen Gas Inc.
- 2.3 Access Gas will maintain a Letter of Credit or acceptable substitute in full force and effect for the duration of the Licence.
- 2.4 Access Gas will maintain a Working Capital position of at least \$50,000 and a Current Ratio of current assets to current liabilities of at least 1.10.
- 2.5 The Commission may, at any time and without prior notice to Access Gas, amend or impose new terms and conditions on, suspend, or cancel the Gas Marketer Licence for reasons the Commission, in its sole discretion, deems and considers sufficient.
- 2.6 The Gas Marketer Licence and all copies of it shall remain the property of the Commission and Access Gas will return these documents forthwith upon written request from the Commission.
- 2.7 Access Gas shall ensure that its employees, salespersons or other representatives of its products and services comply with the standards required of a Gas Marketer as set out in the Code of Conduct for Gas Marketers. Access Gas shall be responsible for the non-compliance of its employees, salespersons or other representatives of its products and services with the Code of Conduct for Gas Marketers.